

SENATE BILL 1424
By Harper

AN ACT to amend Tennessee Code Annotated, Title 50, Chapter 7, relative to unemployment compensation for certain victims of domestic violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 50-7-302(b), is amended by adding the following as a new subdivision (5):

(5) Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits because the individual left work or was discharged due to circumstances resulting from the individual being a victim of a domestic violence offense that meets the elements of sections 40-14-109(a)(2) and (3). No employer's account shall be charged for the payment of benefits to an individual who left work due to circumstances resulting from the individual being a victim of domestic violence.

For the purposes of this subdivision (5), the individual shall be treated as being a victim of domestic violence if the individual provides one (1) or more of the following:

- (A) A restraining order or other documentation of equitable relief issued by a court of competent jurisdiction;
- (B) A police record documenting the domestic violence;
- (C) Documentation that the perpetrator of the domestic violence has been convicted of one (1) or more offenses that meets the elements of sections 40-14-109(a)(2) and (3);
- (D) Medical documentation of the domestic violence;

(E) Certification from the director of a family violence shelter, established pursuant to title 71, chapter 6, part 2, that the individual is a victim of domestic violence; or

(F) Other documentation or certification of the domestic violence provided by a social worker, member of the clergy, shelter worker or other professional who has assisted the individual in dealing with the domestic violence.

No evidence of domestic violence experienced by an individual, including the individual's statement and corroborating evidence, shall be disclosed by the department unless consent for disclosure is given by the individual.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.